

2009 DRAFTING REQUEST**Bill**Received: **09/19/2008**Received By: **agary**Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**By/Representing: **Byrnes**This file may be shown to any legislator: **NO**Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - driver licenses**Extra Copies: **EVM**Submit via email: **NO****Pre Topic:**

DOA:.....Byrnes, BB0016 -

Topic:

No cost identification card for medical surrender or cancellation of driver's license

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 09/19/2008	kfollett 09/22/2008					State
/1			phenry 09/22/2008		lparisi 09/22/2008		State
/2	agary 09/23/2008 agary 01/30/2009	kfollett 09/23/2008 kfollett 01/30/2009	rschluet 09/23/2008		mbarman 09/23/2008		State
/3			mduchek 01/30/2009		sbasford 01/30/2009		

FE Sent For:

<END>

2009 DRAFTING REQUEST**Bill**Received: **09/19/2008**Received By: **agary**Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**By/Representing: **Byrnes**This file may be shown to any legislator: **NO**Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - driver licenses**Extra Copies: **EVM**Submit via email: **NO**

Pre Topic:

DOA:.....Byrnes, BB0016 -

Topic:

No cost identification card for medical surrender or cancellation of driver's license

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 09/19/2008	kfollett 09/22/2008		_____			State
/1			phenry 09/22/2008	_____	lparisi 09/22/2008		State
/2	agary 09/23/2008	kfollett 09/23/2008	rschluet 09/23/2008	_____	mbarman 09/23/2008		

FE Sent For:

<END>
1/30

2009 DRAFTING REQUEST**Bill**Received: **09/19/2008**Received By: **agary**Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**By/Representing: **Byrnes**This file may be shown to any legislator: **NO**Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - driver licenses**Extra Copies: **EVM**Submit via email: **NO**

Pre Topic:

DOA:.....Byrnes, BB0016 -

Topic:

No cost identification card for medical surrender or cancellation of driver's license

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 09/19/2008	kfollett 09/22/2008					State
/1		125f 9/23	phenry 09/22/2008		lparisi 09/22/2008		

FE Sent For:


<END>

2009 DRAFTING REQUEST

Bill

Received: **09/19/2008**

Received By: **agary**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Byrnes**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - driver licenses**

Extra Copies: **EVM**

Submit via email: **NO**

Pre Topic:

DOA:.....Byrnes, BB0016 -

Topic:

No cost identification card for medical surrender or cancellation of driver's license

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary	11kf 9/22	q ph	9 ph/br			
FE Sent For:							
<END>							

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: No-Cost ID-Card for Medical Surrender or Cancellation of Drivers License
- Tracking Code: BB0016
- SBO team: Tax, Transportation and Budget Development Team
- SBO analyst: Tyler Byrnes
 - Phone: 266-1039
 - Email: tyler.byrnes@wisconsin.gov
- Agency acronym: DOT
- Agency number: 395
- Priority (Low, Medium, High): Low

Intent: Please prepare a draft to modify statutory language allowing the department to issue one-time identification cards at no cost to drivers that meet the following criteria:

Drivers must surrender their licenses for medical reasons or have their licenses canceled for medical reasons; licenses must still be valid for six or more months.

Effective date: first day of the fourth month after the budget bill effective date.

**Department of Transportation
2009-11 Biennial Budget Request
STATUTORY MODIFICATIONS**

DIN NUMBER:

TOPIC: No-Cost ID Card for Medical Surrender or Cancellation of Driver License

DESCRIPTION OF CHANGE:

The Department requests authority to modify statutory language to provide one-time identification (ID) cards at no cost to drivers with six or more months left on their driver licenses who surrender them for medical reasons or have them cancelled for medical reasons.

Amend s.343.16(5) Wis. Stats., to note that if a driver license is canceled by the Department after a special examination because the driver's medical condition prohibits continued licensing, the driver is eligible for a one-time ID card at no cost if there are six or more months left on his or her license.

Create language in s.343.265 Wis. Stats., to provide a one-time ID card at no cost to drivers who surrender their licenses for medical reasons or have them cancelled for medical reasons, and who have six or more months left on their driver licenses.

Amend s.343.35(1) and s.343.43(1)(a) Wis. Stats., to repeal all provisions allowing use of an altered driver license card as an identification card until the license's expiration date in cases where the driver does not meet the Department's standard required for eyesight.

Amend s.343.50 Wis. Stats., to allow DMV to not charge either the \$18 ID card fee or the \$10 federal security verification fee for drivers with six or more months left on their driver licenses who surrender their licenses or have them cancelled for medical reasons. Insert language to ensure that ID cards are issued at no cost for only the first issuance after surrender or cancellation of the driver license. Full fees will be collected for renewals.

Review any other cross-references for possible changes.

The effective date of these changes is the first day of the fourth month after the effective date of the budget bill.

JUSTIFICATION:

Some 5,100 drivers each year surrender their Wisconsin licenses or have them cancelled for medical reasons. In 2007, 1,000 people surrendered their licenses, while another 4,100 had their licenses cancelled for medical reasons. Although the Department doesn't track the age of these drivers, Division of Motor Vehicles (DMV) staff believe a growing number of surrenders and cancellations are from people over 65.

Once someone lacks the functional ability to drive, it is important for highway safety that that person no longer hold a driver license. This protects both the driver and others on the road. As the population of older adults grows, this becomes a greater concern. According to a Department synthesis of a Department of Administration report, Wisconsin's over-65 population will expand by over 630,000 over the 30-year period from 2000 to 2030 – from 702,000 in 2000 to 1,336,000 in 2030. Senior citizens formed 13% of the state's total population in the year 2000, but will form 21% by 2030.

Currently, drivers losing or surrendering their Wisconsin driver licenses who want to replace them with ID cards must pay \$28 for a standard, eight-year card – \$18 for the card and \$10 for the federal security verification fee. Under current law, the Department is unable to provide customers with a credit for the time remaining on their licenses. For example, if a driver has paid \$34 for an eight-year license in 2008

and she surrenders that license in 2009, she will then be required to pay another \$28 for a new eight-year ID – even though her license was not due to expire for another seven years.

Of the 5,100 annual medical surrenders and cancellations, the Department estimates that 80% – roughly 4,100 drivers – purchase ID cards to replace their driver licenses. The remainder either decide they don't need or can't afford identification, have an alternate form of identification (such as a passport), or their medical conditions prevent them from coming into a DMV customer service center. Having state-issued identification is increasingly necessary for many routine activities, including boarding an airplane and conducting certain financial transactions.

At least seven states currently offer ID cards at no cost to medical surrenders and cancellations, including neighboring states Illinois and Michigan. Iowa and Minnesota offer a reduced-fee ID card.

2007 Wisconsin Act 20 provides that an unexpired driver license can be used as a valid ID card at no additional cost for drivers who cannot pass the eyesight exam. However, the provision is difficult to administer because it allows the customer to retain the physical driver license card with added language indicating that it is not valid as a driver license, but is valid as an ID card. Having a standard procedure and standard product are important for both efficiency and security. Instead, this provision requires a non-standard and time-consuming procedure, and it results in a non-standard ID card. In addition, vision deficiencies account for only a small percentage of medical surrenders, cancellations, and denials. During the past nine months since the enactment of Act 20, DMV has issued only four such ID cards.

Current law provides a financial incentive for people to hold onto driver licenses even when it is medically unsafe for them to drive. This has a negative impact on highway safety, and places a financial burden on drivers already in an emotionally difficult situation. In addition, when drivers retain their licenses after they have stopped driving, the Department's data becomes somewhat less accurate. For example, the DMV has on record a 107-year-old driver holding a valid license.

Consequently, the Department requests the authority to provide eight-year ID cards at no cost when drivers with six or more months left on their driver licenses surrender them or have them cancelled for medical reasons. This provides a financial incentive for unsafe drivers to surrender their licenses. In addition, it provides value to drivers giving up or losing their licenses. In exchange for the six or more months left on their licenses, customers receive ID cards at no cost and do not have to return to DMV customer service centers for eight years. It is relatively cost-effective since these individuals will not require additional counter service for eight years – and the expiration period and format of the physical card are the same as for full-fee ID cards. Finally, it allows the Department to provide more accurate data to policymakers about who is driving. Subsequent renewals of these ID cards would be issued at full cost.

KMNR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

AN ACT ...; relating to: identification cards issued by the Department of Transportation and canceled motor vehicle operator's licenses.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

DRIVERS AND MOTOR VEHICLES

Under current law, DOT issues identification cards, to be used for identification purposes only, to residents who do not possess valid operator's licenses. The fee for initial issuance and renewal of an identification card is \$18, plus an additional \$10 federal security verification mandate fee. Identification cards are valid for a period of eight years.

Under current law, DOT may require a person holding a motor vehicle operator's license to submit to a special examination to determine incompetency, physical or mental disability, disease, or any other condition that might prevent the person from exercising reasonable and ordinary control over a motor vehicle. After receiving the results of a special examination, DOT may cancel a person's operator's license if it is in the interest of public safety to do so. DOT may also accept the voluntary surrender of a person's operator's license if the person has a mental or physical disability or disease or a medical condition that prevents the person from exercising reasonable control over a motor vehicle.

Under this bill, DOT may not charge a fee to an applicant for the initial issuance of an identification card if: 1) DOT has canceled the applicant's valid operator's license after a special examination of medical condition and, at the time of cancellation, the canceled license was not less than six months from expiring; or 2)

DOT has accepted the applicant's voluntary surrender of a valid operator's license based on medical condition and, at the time DOT accepted surrender, the surrendered license was not less than six months from expiring.

Under current law, if DOT cancels a person's operator's license because the person's eyesight does not meet DOT's standards, the person may, without paying any additional fee, retain the license until the license expiration date for use like an identification card if DOT has marked the license accordingly.

This bill repeals this provision of current law.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 343.35 (1) (a) of the statutes is renumbered 343.35 (1) and amended
2 to read:

3 343.35 (1) ~~Except as provided in par. (b), the~~ The department may order any
4 person whose operating privilege has been canceled, revoked or suspended to
5 surrender his or her license or licenses to the department. The department may
6 order any person who is in possession of a canceled, revoked or suspended license of
7 another to surrender the license to the department.

8 **SECTION 2.** 343.35 (1) (b) of the statutes is repealed.

9 **SECTION 3.** 343.43 (1) (a) of the statutes is amended to read:

10 343.43 (1) (a) ~~Except as provided in s. 343.35 (1) (b), represent~~ Represent as
11 valid any canceled, revoked, suspended, fictitious or fraudulently altered license; or

12 **SECTION 4.** 343.50 (5) of the statutes is renumbered 343.50 (5) (a) and amended
13 to read:

14 343.50 (5) VALID PERIOD; FEES. (a) The 1. Except as provided in subd. 2., the
15 fee for an original card and for the reinstatement of an identification card after
16 cancellation under sub. (10) shall be \$18.

1 **(b)** The card shall be valid for the succeeding period of 8 years from the
2 applicant's next birthday after the date of issuance, except that a card that is issued
3 to a person who is not a United States citizen and who provides documentary proof
4 of legal status as provided under s. 343.14 (2) (er) shall expire on the date that the
5 person's legal presence in the United States is no longer authorized. If the
6 documentary proof as provided under s. 343.14 (2) (er) does not state the date that
7 the person's legal presence in the United States is no longer authorized, then the card
8 shall be valid for the succeeding period of 8 years from the applicant's next birthday
9 after the date of issuance.

10 **SECTION 5.** 343.50 (5) of the statutes, as affected by 2007 Wisconsin Act 20,
11 section 3381, and 2009 Wisconsin Act (this act), is repealed and recreated to read:

12 343.50 **(5)** VALID PERIOD; FEES. (a) 1. Except as provided in subd. 2., the fee for
13 an original card, for renewal of a card, and for the reinstatement of an identification
14 card after cancellation under sub. (10) shall be \$18.

15 2. The department may not charge a fee to an applicant for the initial issuance
16 of an identification card if any of the following apply:

17 a. The department has canceled the applicant's valid operator's license after
18 a special examination under s. 343.16 (5) and, at the time of cancellation, the
19 expiration date for the canceled license was not less than 6 months after the date of
20 cancellation.

21 b. The department has accepted the applicant's voluntary surrender of a valid
22 operator's license under s. 343.265 (1) and, at the time the department accepted
23 surrender, the expiration date for the surrendered license was not less than 6 months
24 after the date that the department accepted surrender.

1 (b) Except as provided in par. (c) and s. 343.165 (4) (c), an original or reinstated
2 card shall be valid for the succeeding period of 8 years from the applicant's next
3 birthday after the date of issuance, and a renewed card shall be valid for the
4 succeeding period of 8 years from the card's last expiration date.

5 (c) Except as provided in s. 343.165 (4) (c) and as otherwise provided in this
6 paragraph, an identification card that is issued to a person who is not a United States
7 citizen and who provides documentary proof of legal status as provided under s.
8 343.14 (2) (es) shall expire on the date that the person's legal presence in the United
9 States is no longer authorized or on the expiration date determined under par. (b),
10 whichever date is earlier. If the documentary proof as provided under s. 343.14 (2)
11 (es) does not state the date that the person's legal presence in the United States is
12 no longer authorized, then the card shall be valid for the period specified in par. (b)
13 except that, if the card was issued or renewed based upon the person's presenting of
14 any documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall, subject
15 to s. 343.165 (4) (c), expire one year after the date of issuance or renewal.

16 **SECTION 6.** 343.50 (5) (a) 2. of the statutes is created to read:

17 343.50 (5) (a) 2. The department may not charge a fee to an applicant for the
18 initial issuance of an identification card if any of the following apply:

19 a. The department has canceled the applicant's valid operator's license after
20 a special examination under s. 343.16 (5) and, at the time of cancellation, the
21 expiration date for the canceled license was not less than 6 months after the date of
22 cancellation.

23 b. The department has accepted the applicant's voluntary surrender of a valid
24 operator's license under s. 343.265 (1) and, at the time the department accepted

1 surrender, the expiration date for the surrendered license was not less than 6 months
2 after the date that the department accepted surrender.

3 **SECTION 7.** 343.50 (5m) of the statutes is amended to read:

4 **343.50 (5m) FEDERAL SECURITY VERIFICATION MANDATE FEE.** In addition to any
5 other fee under this section, for the issuance of an original identification card or
6 duplicate identification card or for the renewal or reinstatement of an identification
7 card after cancellation under sub. (10), a federal security verification mandate fee of
8 \$10 shall be paid to the department. The fee under this subsection does not apply
9 to an applicant if the department may not charge the applicant a fee under sub. (5)
10 (a) 2.

11 **SECTION 9350. Initial applicability; Transportation.**

12 (1) NO FEE IDENTIFICATION CARDS. The treatment of section 343.50 (5m) of the
13 statutes and the creation of section 343.50 (5) (a) 2. of the statutes first applies with
14 respect to operator's licenses canceled or accepted for surrender by the department
15 on the effective date of this subsection.

16 **SECTION 9450. Effective dates; Transportation.**

17 (1) NO FEE IDENTIFICATION CARDS.

18 (a) The treatment of sections 343.43 (1) (a) and 343.50 (5m) of the statutes, the
19 repeal of section 343.35 (1) (b) of the statutes, the renumbering and amendment of
20 section 343.35 (1) (a) and 343.50 (5) of the statutes, the creation of section 343.50 (5)
21 (a) 2. of the statutes, and SECTION 9350 (1) of this act take effect on the first day of
22 the 4th month beginning after publication.

23 (b) The repeal and recreation of section 343.50 (5) of the statutes takes effect
24 on the first day of the 4th month beginning after publication, or on the date on which

1 the creation of section 343.165 of the statutes by 2007 Wisconsin Act 20 takes effect,
2 whichever is later.

3 (END)



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0322/1

ARG:kjf ph

RMR

DOA:.....Byrnes, BB0016 - No cost identification card for medical surrender
or cancellation of driver's license

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

Don't Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

DRIVERS AND MOTOR VEHICLES

Under current law, DOT issues identification cards, to be used for identification purposes only, to residents who do not possess valid operator's licenses. The fee for initial issuance and renewal of an identification card is \$18, plus an additional \$10 federal security verification mandate fee. Identification cards are valid for a period of eight years.

Under current law, DOT may require a person holding a motor vehicle operator's license to submit to a special examination to determine incompetency, physical or mental disability, disease, or any other condition that might prevent the person from exercising reasonable and ordinary control over a motor vehicle. After receiving the results of a special examination, DOT may cancel a person's operator's license if it is in the interest of public safety to do so. DOT may also accept the voluntary surrender of a person's operator's license if the person has a mental or physical disability or disease or a medical condition that prevents the person from exercising reasonable control over a motor vehicle.

Under this bill, DOT may not charge a fee to an applicant for the initial issuance of an identification card if: 1) DOT has canceled the applicant's valid operator's

license after a special examination of medical condition and, at the time of cancellation, the canceled license was not less than six months from expiring; or 2) DOT has accepted the applicant's voluntary surrender of a valid operator's license based on medical condition and, at the time DOT accepted surrender, the surrendered license was not less than six months from expiring.

Under current law, if DOT cancels a person's operator's license because the person's eyesight does not meet DOT's standards, the person may, without paying any additional fee, retain the license until the license expiration date for use like an identification card if DOT has marked the license accordingly.

This bill repeals this provision of current law.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 343.35 (1) (a) of the statutes is renumbered 343.35 (1) and amended
2 to read:

3 343.35 (1) ~~Except as provided in par. (b), the~~ The department may order any
4 person whose operating privilege has been canceled, revoked or suspended to
5 surrender his or her license or licenses to the department. The department may
6 order any person who is in possession of a canceled, revoked or suspended license of
7 another to surrender the license to the department.

8 **SECTION 2.** 343.35 (1) (b) of the statutes is repealed.

9 **SECTION 3.** 343.43 (1) (a) of the statutes is amended to read:

10 343.43 (1) (a) ~~Except as provided in s. 343.35 (1) (b), represent~~ Represent as
11 valid any canceled, revoked, suspended, fictitious or fraudulently altered license; or

12 **SECTION 4.** 343.50 (5) of the statutes is renumbered 343.50 (5) (a) and amended
13 to read: 1.

1

343.50 (5) VALID PERIOD; FEES. (a) ^{plain} The 1. Except as provided in subd. 2., the

2

fee for an original card and for the reinstatement of an identification card after

3

cancellation under sub. (10) shall be \$18.

4

(b) The card shall be valid for the succeeding period of 8 years from the applicant's next birthday after the date of issuance, except that a card that is issued

5

to a person who is not a United States citizen and who provides documentary proof

6

of legal status as provided under s. 343.14 (2) (er) shall expire on the date that the

7

person's legal presence in the United States is no longer authorized. If the

8

documentary proof as provided under s. 343.14 (2) (er) does not state the date that

9

the person's legal presence in the United States is no longer authorized, then the card

10

shall be valid for the succeeding period of 8 years from the applicant's next birthday

11

after the date of issuance.

12

13

SECTION 5. 343.50 (5) of the statutes, as affected by 2007 Wisconsin Act 20, section 3381, and 2009 Wisconsin Act (this act), is repealed and recreated to read:

14

15

343.50 (5) VALID PERIOD; FEES. (a) 1. Except as provided in subd. 2., the fee for

15

an original card, for renewal of a card, and for the reinstatement of an identification

16

card after cancellation under sub. (10) shall be \$18.

17

18

2. The department may not charge a fee to an applicant for the initial issuance of an identification card if any of the following apply:

19

20

a. The department has canceled the applicant's valid operator's license after a special examination under s. 343.16 (5) and, at the time of cancellation, the expiration date for the canceled license was not less than 6 months after the date of cancellation.

21

22

23

24

b. The department has accepted the applicant's voluntary surrender of a valid operator's license under s. 343.265 (1) and, at the time the department accepted

25

1 surrender, the expiration date for the surrendered license was not less than 6 months
2 after the date that the department accepted surrender.

3 (b) Except as provided in par. (c) and s. 343.165 (4) (c), an original or reinstated
4 card shall be valid for the succeeding period of 8 years from the applicant's next
5 birthday after the date of issuance, and a renewed card shall be valid for the
6 succeeding period of 8 years from the card's last expiration date.

7 (c) Except as provided in s. 343.165 (4) (c) and as otherwise provided in this
8 paragraph, an identification card that is issued to a person who is not a United States
9 citizen and who provides documentary proof of legal status as provided under s.
10 343.14 (2) (es) shall expire on the date that the person's legal presence in the United
11 States is no longer authorized or on the expiration date determined under par. (b),
12 whichever date is earlier. If the documentary proof as provided under s. 343.14 (2)
13 (es) does not state the date that the person's legal presence in the United States is
14 no longer authorized, then the card shall be valid for the period specified in par. (b)
15 except that, if the card was issued or renewed based upon the person's presenting of
16 any documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall, subject
17 to s. 343.165 (4) (c), expire one year after the date of issuance or renewal.

18 **SECTION 6.** 343.50 (5) (a) 2. of the statutes is created to read:

19 343.50 (5) (a) 2. The department may not charge a fee to an applicant for the
20 initial issuance of an identification card if any of the following apply:

21 a. The department has canceled the applicant's valid operator's license after
22 a special examination under s. 343.16 (5) and, at the time of cancellation, the
23 expiration date for the canceled license was not less than 6 months after the date of
24 cancellation.

1 b. The department has accepted the applicant's voluntary surrender of a valid
2 operator's license under s. 343.265 (1) and, at the time the department accepted
3 surrender, the expiration date for the surrendered license was not less than 6 months
4 after the date that the department accepted surrender.

5 **SECTION 7. 343.50 (5m) of the statutes is amended to read:**

6 **343.50 (5m) FEDERAL SECURITY VERIFICATION MANDATE FEE.** In addition to any
7 other fee under this section, for the issuance of an original identification card or
8 duplicate identification card or for the renewal or reinstatement of an identification
9 card after cancellation under sub. (10), a federal security verification mandate fee of
10 \$10 shall be paid to the department. The fee under this subsection does not apply
11 to an applicant if the department may not charge the applicant a fee under sub. (5)

12 (a) 2.

13 **SECTION 9350. Initial applicability; Transportation.**

14 (1) NO FEE IDENTIFICATION CARDS. The treatment of section 343.50 (5m) of the
15 statutes and the creation of section 343.50 (5) (a) 2. of the statutes first ^{apply} ~~applies~~ with
16 respect to operator's licenses canceled or accepted for surrender by the department
17 on the effective date of this subsection.

18 **SECTION 9450. Effective dates; Transportation.**

19 (1) NO FEE IDENTIFICATION CARDS.

20 (a) The treatment of sections 343.43 (1) (a) and 343.50 (5m) of the statutes, the
21 repeal of section 343.35 (1) (b) of the statutes, the renumbering and amendment of
22 section ⁵ 343.35 (1) (a) and 343.50 (5) of the statutes, the creation of section 343.50 (5)
23 (a) 2. of the statutes, and SECTION 9350 (1) of this act take effect on the first day of
24 the 4th month beginning after publication.

1 (b) The repeal and recreation of section 343.50 (5) of the statutes takes effect
2 on the first day of the 4th month beginning after publication, or on the date on which
3 the creation of section 343.165 of the statutes by 2007 Wisconsin Act 20 takes effect,
4 whichever is later.

5

(END)

A handwritten note "D-Note" is enclosed in a hand-drawn oval. The text is written in a cursive, handwritten style.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0322/2dn

ARG: *bf*

Date

ATTN: Tyler Byrnes

The attached redraft makes several technical, stylistic corrections. There are no substantive changes in the attached redraft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0322/2dn
ARG:kjfrs

September 23, 2008

ATTN: Tyler Byrnes

The attached redraft makes several technical, stylistic corrections. There are no substantive changes in the attached redraft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0322/3

ARG:kjf:rs

reconciling

in
4/30

RMC

DOA:.....Byrnes, BB0016 - No cost identification card for medical surrender
or cancellation of driver's license

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

D-note

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

DRIVERS AND MOTOR VEHICLES

Under current law, DOT issues identification cards, to be used for identification purposes only, to residents who do not possess valid operator's licenses. The fee for initial issuance and renewal of an identification card is \$18, plus an additional \$10 federal security verification mandate fee. Identification cards are valid for a period of eight years.

Under current law, DOT may require a person holding a motor vehicle operator's license to submit to a special examination to determine incompetency, physical or mental disability, disease, or any other condition that might prevent the person from exercising reasonable and ordinary control over a motor vehicle. After receiving the results of a special examination, DOT may cancel a person's operator's license if it is in the interest of public safety to do so. DOT may also accept the voluntary surrender of a person's operator's license if the person has a mental or physical disability or disease or a medical condition that prevents the person from exercising reasonable control over a motor vehicle.

Under this bill, DOT may not charge a fee to an applicant for the initial issuance of an identification card if: 1) DOT has canceled the applicant's valid operator's

license after a special examination of medical condition and, at the time of cancellation, the canceled license was not less than six months from expiring; or 2) DOT has accepted the applicant's voluntary surrender of a valid operator's license based on medical condition and, at the time DOT accepted surrender, the surrendered license was not less than six months from expiring.

Under current law, if DOT cancels a person's operator's license because the person's eyesight does not meet DOT's standards, the person may, without paying any additional fee, retain the license until the license expiration date for use like an identification card if DOT has marked the license accordingly.

This bill repeals this provision of current law.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 343.35 (1) (a) of the statutes is renumbered 343.35 (1) and amended
2 to read:

3 343.35 (1) ~~Except as provided in par. (b), the~~ The department may order any
4 person whose operating privilege has been canceled, revoked or suspended to
5 surrender his or her license or licenses to the department. The department may
6 order any person who is in possession of a canceled, revoked or suspended license of
7 another to surrender the license to the department.

8 **SECTION 2.** 343.35 (1) (b) of the statutes is repealed.

9 **SECTION 3.** 343.43 (1) (a) of the statutes is amended to read:

10 343.43 (1) (a) ~~Except as provided in s. 343.35 (1) (b), represent~~ Represent as
11 valid any canceled, revoked, suspended, fictitious or fraudulently altered license; or

12 **SECTION 4.** 343.50 (5) of the statutes is renumbered 343.50 (5) (a) 1. and
13 amended to read:

1 343.50 (5) (a) 1. The Except as provided in subd. 2., the fee for an original card
2 and for the reinstatement of an identification card after cancellation under sub. (10)
3 shall be \$18.

4 **(b)** The card shall be valid for the succeeding period of 8 years from the
5 applicant's next birthday after the date of issuance, except that a card that is issued
6 to a person who is not a United States citizen and who provides documentary proof
7 of legal status as provided under s. 343.14 (2) (er) shall expire on the date that the
8 person's legal presence in the United States is no longer authorized. If the
9 documentary proof as provided under s. 343.14 (2) (er) does not state the date that
10 the person's legal presence in the United States is no longer authorized, then the card
11 shall be valid for the succeeding period of 8 years from the applicant's next birthday
12 after the date of issuance.

13 **SECTION 5.** 343.50 (5) of the statutes, as affected by 2007 Wisconsin Act 20,
14 section 3381, and 2009 Wisconsin Act (this act), is repealed and recreated to read:

15 343.50 (5) (a) 1. Except as provided in subd. 2., the fee for an original card, for
16 renewal of a card, and for the reinstatement of an identification card after
17 cancellation under sub. (10) shall be \$18.

18 2. The department may not charge a fee to an applicant for the initial issuance
19 of an identification card if any of the following apply:

20 a. The department has canceled the applicant's valid operator's license after
21 a special examination under s. 343.16 (5) and, at the time of cancellation, the
22 expiration date for the canceled license was not less than 6 months after the date of
23 cancellation.

24 b. The department has accepted the applicant's voluntary surrender of a valid
25 operator's license under s. 343.265 (1) and, at the time the department accepted

1 surrender, the expiration date for the surrendered license was not less than 6 months
2 after the date that the department accepted surrender.

3 (b) Except as provided in par. (c) and s. 343.165 (4) (c), an original or reinstated
4 card shall be valid for the succeeding period of 8 years from the applicant's next
5 birthday after the date of issuance, and a renewed card shall be valid for the
6 succeeding period of 8 years from the card's last expiration date.

7 (c) Except as provided in s. 343.165 (4) (c) and as otherwise provided in this
8 paragraph, an identification card that is issued to a person who is not a United States
9 citizen and who provides documentary proof of legal status as provided under s.
10 343.14 (2) (es) shall expire on the date that the person's legal presence in the United
11 States is no longer authorized or on the expiration date determined under par. (b),
12 whichever date is earlier. If the documentary proof as provided under s. 343.14 (2)
13 (es) does not state the date that the person's legal presence in the United States is
14 no longer authorized, then the card shall be valid for the period specified in par. (b)
15 except that, if the card was issued or renewed based upon the person's presenting of
16 any documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall, subject
17 to s. 343.165 (4) (c), expire one year after the date of issuance or renewal.

18 **SECTION 6.** 343.50 (5) (a) 2. of the statutes is created to read:

19 343.50 (5) (a) 2. The department may not charge a fee to an applicant for the
20 initial issuance of an identification card if any of the following apply:

21 a. The department has canceled the applicant's valid operator's license after
22 a special examination under s. 343.16 (5) and, at the time of cancellation, the
23 expiration date for the canceled license was not less than 6 months after the date of
24 cancellation.

b. The department has accepted the applicant's voluntary surrender of a valid operator's license under s. 343.265 (1) and, at the time the department accepted surrender, the expiration date for the surrendered license was not less than 6 months after the date that the department accepted surrender.

SECTION 7. 343.50 (5m) of the statutes is amended to read:

343.50 (5m) ~~FEDERAL SECURITY VERIFICATION MANDATE~~ ^{CARD ISSUANCE} FEE. In addition to any other fee under this section, for the issuance of an original identification card or duplicate identification card or for the renewal or reinstatement of an identification card after cancellation under sub. (10), a federal security verification mandate ^{card issuance} fee of \$10 shall be paid to the department. The fee under this subsection does not apply to an applicant if the department may not charge the applicant a fee under sub. (5)

(a) 2.

SECTION 9350. Initial applicability; Transportation.

(1) NO FEE IDENTIFICATION CARDS. The treatment of section 343.50 (5m) of the statutes and the creation of section 343.50 (5) (a) 2. of the statutes first apply with respect to operator's licenses canceled or accepted for surrender by the department of transportation on the effective date of this subsection.

SECTION 9450. Effective dates; Transportation.

(1) NO FEE IDENTIFICATION CARDS.

(a) The treatment of sections 343.43 (1) (a) and 343.50 (5m) of the statutes, the repeal of section 343.35 (1) (b) of the statutes, the renumbering and amendment of sections 343.35 (1) (a) and 343.50 (5) of the statutes, the creation of section 343.50 (5) (a) 2. of the statutes, and SECTION 9350 (1) of this act take effect on the first day of the 4th month beginning after publication.

1 (b) The repeal and recreation of section 343.50 (5) of the statutes takes effect
2 on the first day of the 4th month beginning after publication, or on the date on which
3 the creation of section 343.165 of the statutes by 2007 Wisconsin Act 20 takes effect,
4 whichever is later.
5

(END)

S-note

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0322/3ins
ARG:.....

1

2

3

4

INSERT 5-12:

****NOTE: This is reconciled s. 343.50 (5m). This SECTION has been affected by drafts with the following LRB numbers: LRB-0322 and LRB-1454. This draft "double drafts" the treatment in LRB-1454, which has an earlier effective date.

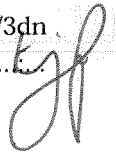
5

INSERT 5-17 and 6-4:

****NOTE: Reconciliation changes are made to correspond to the reconciliation change in s. 343.50 (5m).

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0322/3dn
ARG:...



Date

ATTN: Tyler Byrnes

12 11
This draft reconciles LRB-0322 and LRB-1454. This draft "double drafts" the treatment of s. 343.50 (5m), which has an earlier effective date in LRB-1454. The draft also adds corresponding changes in sections 9350 (1) and 9450 (1). Both of these drafts should continue to appear in the compiled bill.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0322/3dn
ARG:kjf.md

January 30, 2009

ATTN: Tyler Byrnes

This draft reconciles LRB-0322/2 and LRB-1454/1. This draft "double drafts" the treatment of s. 343.50 (5m), which has an earlier effective date in LRB-1454. The draft also adds corresponding changes in sections 9350 (1) and 9450 (1). Both of these drafts should continue to appear in the compiled bill.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0322/3

ARG:kjf:md

DOA:.....Byrnes, BB0016 – No cost identification card for medical surrender
or cancellation of driver's license

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

DRIVERS AND MOTOR VEHICLES

Under current law, DOT issues identification cards, to be used for identification purposes only, to residents who do not possess valid operator's licenses. The fee for initial issuance and renewal of an identification card is \$18, plus an additional \$10 federal security verification mandate fee. Identification cards are valid for a period of eight years.

Under current law, DOT may require a person holding a motor vehicle operator's license to submit to a special examination to determine incompetency, physical or mental disability, disease, or any other condition that might prevent the person from exercising reasonable and ordinary control over a motor vehicle. After receiving the results of a special examination, DOT may cancel a person's operator's license if it is in the interest of public safety to do so. DOT may also accept the voluntary surrender of a person's operator's license if the person has a mental or physical disability or disease or a medical condition that prevents the person from exercising reasonable control over a motor vehicle.

Under this bill, DOT may not charge a fee to an applicant for the initial issuance of an identification card if: 1) DOT has canceled the applicant's valid operator's

license after a special examination of medical condition and, at the time of cancellation, the canceled license was not less than six months from expiring; or 2) DOT has accepted the applicant's voluntary surrender of a valid operator's license based on medical condition and, at the time DOT accepted surrender, the surrendered license was not less than six months from expiring.

Under current law, if DOT cancels a person's operator's license because the person's eyesight does not meet DOT's standards, the person may, without paying any additional fee, retain the license until the license expiration date for use like an identification card if DOT has marked the license accordingly.

This bill repeals this provision of current law.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 343.35 (1) (a) of the statutes is renumbered 343.35 (1) and amended
2 to read:

3 343.35 (1) ~~Except as provided in par. (b), the~~ The department may order any
4 person whose operating privilege has been canceled, revoked or suspended to
5 surrender his or her license or licenses to the department. The department may
6 order any person who is in possession of a canceled, revoked or suspended license of
7 another to surrender the license to the department.

8 **SECTION 2.** 343.35 (1) (b) of the statutes is repealed.

9 **SECTION 3.** 343.43 (1) (a) of the statutes is amended to read:

10 343.43 (1) (a) ~~Except as provided in s. 343.35 (1) (b), represent~~ Represent as
11 valid any canceled, revoked, suspended, fictitious or fraudulently altered license; or

12 **SECTION 4.** 343.50 (5) of the statutes is renumbered 343.50 (5) (a) 1. and
13 amended to read:

1 343.50 (5) (a) 1. The Except as provided in subd. 2., the fee for an original card
2 and for the reinstatement of an identification card after cancellation under sub. (10)
3 shall be \$18.

4 **(b)** The card shall be valid for the succeeding period of 8 years from the
5 applicant's next birthday after the date of issuance, except that a card that is issued
6 to a person who is not a United States citizen and who provides documentary proof
7 of legal status as provided under s. 343.14 (2) (er) shall expire on the date that the
8 person's legal presence in the United States is no longer authorized. If the
9 documentary proof as provided under s. 343.14 (2) (er) does not state the date that
10 the person's legal presence in the United States is no longer authorized, then the card
11 shall be valid for the succeeding period of 8 years from the applicant's next birthday
12 after the date of issuance.

13 **SECTION 5.** 343.50 (5) of the statutes, as affected by 2007 Wisconsin Act 20,
14 section 3381, and 2009 Wisconsin Act (this act), is repealed and recreated to read:

15 343.50 (5) (a) 1. Except as provided in subd. 2., the fee for an original card, for
16 renewal of a card, and for the reinstatement of an identification card after
17 cancellation under sub. (10) shall be \$18.

18 2. The department may not charge a fee to an applicant for the initial issuance
19 of an identification card if any of the following apply:

20 a. The department has canceled the applicant's valid operator's license after
21 a special examination under s. 343.16 (5) and, at the time of cancellation, the
22 expiration date for the canceled license was not less than 6 months after the date of
23 cancellation.

24 b. The department has accepted the applicant's voluntary surrender of a valid
25 operator's license under s. 343.265 (1) and, at the time the department accepted

1 surrender, the expiration date for the surrendered license was not less than 6 months
2 after the date that the department accepted surrender.

3 (b) Except as provided in par. (c) and s. 343.165 (4) (c), an original or reinstated
4 card shall be valid for the succeeding period of 8 years from the applicant's next
5 birthday after the date of issuance, and a renewed card shall be valid for the
6 succeeding period of 8 years from the card's last expiration date.

7 (c) Except as provided in s. 343.165 (4) (c) and as otherwise provided in this
8 paragraph, an identification card that is issued to a person who is not a United States
9 citizen and who provides documentary proof of legal status as provided under s.
10 343.14 (2) (es) shall expire on the date that the person's legal presence in the United
11 States is no longer authorized or on the expiration date determined under par. (b),
12 whichever date is earlier. If the documentary proof as provided under s. 343.14 (2)
13 (es) does not state the date that the person's legal presence in the United States is
14 no longer authorized, then the card shall be valid for the period specified in par. (b)
15 except that, if the card was issued or renewed based upon the person's presenting of
16 any documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall, subject
17 to s. 343.165 (4) (c), expire one year after the date of issuance or renewal.

18 **SECTION 6.** 343.50 (5) (a) 2. of the statutes is created to read:

19 343.50 (5) (a) 2. The department may not charge a fee to an applicant for the
20 initial issuance of an identification card if any of the following apply:

21 a. The department has canceled the applicant's valid operator's license after
22 a special examination under s. 343.16 (5) and, at the time of cancellation, the
23 expiration date for the canceled license was not less than 6 months after the date of
24 cancellation.

1 b. The department has accepted the applicant's voluntary surrender of a valid
2 operator's license under s. 343.265 (1) and, at the time the department accepted
3 surrender, the expiration date for the surrendered license was not less than 6 months
4 after the date that the department accepted surrender.

5 **SECTION 7.** 343.50 (5m) of the statutes, as affected by 2009 Wisconsin Act
6 (this act), is amended to read:

7 **343.50 (5m) CARD ISSUANCE FEE.** In addition to any other fee under this section,
8 for the issuance of an original identification card or duplicate identification card or
9 for the renewal or reinstatement of an identification card after cancellation under
10 sub. (10), a card issuance fee of \$10 shall be paid to the department. The fee under
11 this subsection does not apply to an applicant if the department may not charge the
12 applicant a fee under sub. (5) (a) 2.

 ***NOTE: This is reconciled s. 343.50 (5m). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0322/2 and LRB-1454/1. This draft
"double drafts" the treatment in LRB-1454/1, which has an earlier effective date.

13 **SECTION 9350. Initial applicability; Transportation.**

14 (1) NO FEE IDENTIFICATION CARDS. The treatment of section 343.50 (5m) (by
15 SECTION 7) of the statutes and the creation of section 343.50 (5) (a) 2. of the statutes
16 first apply with respect to operator's licenses canceled or accepted for surrender by
17 the department of transportation on the effective date of this subsection.

 ***NOTE: Reconciliation changes are made to correspond to the reconciliation
change in s. 343.50 (5m).

18 **SECTION 9450. Effective dates; Transportation.**

19 (1) NO FEE IDENTIFICATION CARDS.

20 (a) The treatment of sections 343.43 (1) (a) and 343.50 (5m) (by SECTION 7) of
21 the statutes, the repeal of section 343.35 (1) (b) of the statutes, the renumbering and
22 amendment of sections 343.35 (1) (a) and 343.50 (5) of the statutes, the creation of

1 section 343.50 (5) (a) 2. of the statutes, and SECTION 9350 (1) of this act take effect
2 on the first day of the 4th month beginning after publication.

3 (b) The repeal and recreation of section 343.50 (5) of the statutes takes effect
4 on the first day of the 4th month beginning after publication, or on the date on which
5 the creation of section 343.165 of the statutes by 2007 Wisconsin Act 20 takes effect,
6 whichever is later.

****NOTE: Reconciliation changes are made to correspond to the reconciliation
change in s. 343.50 (5m).

7 (END)